

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re

LEADING LIFE SENIOR LIVING, INC.

Debtor.

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Chapter 11

Case No. 23-42784-MXM

**ORDER: (I) CONDITIONALLY APPROVING THE ADEQUACY OF THE
DISCLOSURE STATEMENT; (II) SCHEDULING COMBINED HEARING
ON (A) ADEQUACY OF DISCLOSURE STATEMENT AND (B)
CONFIRMATION OF PLAN; (III) APPROVING FORM AND MANNER
OF NOTICE OF COMBINED HEARING, SOLICITATION
PROCEDURES, BALLOTS, AND RELATED DEADLINES; (IV) FIXING
DEADLINE TO OBJECT TO DISCLOSURE STATEMENT AND PLAN;
AND (V) GRANTING RELATED RELIEF**

Upon the motion (the “**Motion**”) of Leading Life Senior Living, Inc. (the “**Debtor**”) seeking an order: (i) conditionally approving the adequacy of the Disclosure Statement; (ii) scheduling a combined hearing (“**Combined Hearing**”) on the (a) adequacy of the Disclosure

Statement¹ and (b) confirmation of the proposed Plan of liquidation, respectively, filed in this Case; (iii) approving the form and manner of notice of the Combined Hearing, solicitation procedures, ballots, and related deadlines; (iv) fixing a deadline to object to the Plan and Disclosure Statement; and (v) granting related relief; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. 157 and §§ 1334(b); and the Court having found that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and the Court having found that venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having determined that the relief requested in the Motion is in the best interests of the Debtor, its estate, creditors, and other parties in interest; and it appearing that proper and adequate notice of the Motion has been given under the circumstances, and that no other or further notice is necessary; and the Court having reviewed the Motion and the responses thereto, if any, and the arguments of counsel at the hearing and upon all the proceedings heretofore before the Court; and the Court having found that the proposed timing for the Combined Hearing complies with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Rules and will enable the Debtor to pursue confirmation of the Plan in a timely fashion, THE COURT HEREBY ORDERS AS FOLLOWS:

- A. The Motion is GRANTED as set forth herein.
- B. The Disclosure Statement, as filed at Docket No. 154 is conditionally approved for purposes of soliciting the Plan.
- C. A Combined Hearing on the adequacy of the Disclosure Statement and confirmation of the Plan will be held on **June 28, 2023 at 1:30 p.m.**, prevailing Central Time. The Combined Hearing may be continued from time to time by the Court without further notice

¹ Capitalized terms not otherwise defined herein shall have the meanings assigned to them in the Motion.

other than the announcement of the adjourned date at the Combined Hearing or any continued hearing.

D. The Combined Notice, substantially in the form attached to the Motion as **Exhibit A** is hereby approved. The Debtor may make conforming and non-substantive changes to the Combined Notice at any time in consultation with Indenture Trustee.

E. The voting record date (“**Voting Record Date**”) for all claims in this Case is **May 22, 2023**.

F. The Debtor shall mail copies of the plan solicitation materials, including the Plan, Disclosure Statement, this Order, and the Combined Notice, along with ballots or notices of non-voting status, as appropriate (the “**Solicitation Materials**”), not later than **May 24, 2023**, via first-class mail on the mailing addresses listed in the proof of claim associated with each claim holder, to the extent one was filed, or the address associated with the claim holder as listed in the Debtor’s schedules; and shall deliver the Solicitation Materials to each beneficial holder of the secured bonds.

G. The Debtor shall send Solicitation Materials only to known deliverable addresses; *provided, however*, the Debtor shall send Solicitation Materials to any entity who provides written notice of a new mailing address or forwarding address prior to the Voting Record Date.

H. The Debtor may file a plan supplement (“**Plan Supplement**”) containing a list of executory contracts and unexpired leases and proposed cure amounts (if any), and any other appropriate schedules and documents, not later than **June 14, 2023**. The Debtor shall serve the Plan Supplement on all affected contract counterparties by the most efficient means available, including email or U.S. First Class mail. The Debtor may include such other materials in the Plan Supplement as may be appropriate, including proposed non-material modifications to the Plan.

I. The deadline for creditors to submit ballots to vote on the confirmation of the Plan shall be **June 21, 2023 at 5:00 p.m.** prevailing Central time (“**Plan Voting Deadline**”). The Debtor may extend this deadline for cause, in its discretion, in consultation with the Indenture Trustee.

J. Objections or responses to: (i) the adequacy of the Disclosure Statement; or (ii) the confirmation of, or proposed modifications to, the Plan, if any, shall (a) be in writing; (b) conform to the Federal Rules of Bankruptcy Procedure and the Local Rules; and (c) set forth the name of the objecting party, the basis for the objection, and the specific grounds therefor.

K. All objections and responses to the adequacy of the Disclosure Statement or the confirmation of the Plan must be filed with the Court no later than **June 21, 2023 at 5:00 p.m.**, prevailing central time, and served upon the following:

Rachael L. Smiley
Ferguson Braswell Fraser Kubasta PC
5200 Dallas Parkway, Suite 600
Plano, TX 75093
rsmiley@fbfk.law

Counsel for the Debtor

Laura E. Appleby (NY State Bar No.
FAEGRE DRINKER BIDDLE & REATH
LLP
1177 6th Ave, 41st floor
New York, NY 10036
laura.appleby@faegredrinker.com

Counsel for the Indenture Trustee

Office of the United States Trustee
Attn: Elizabeth A. Young
1100 Commerce Street, Room 976
Dallas, TX 75242
elizabeth.a.youngk@usdoj.com

United States Trustee

L. Objections not timely filed and served in accordance with the provisions of this Order may be overruled on that basis alone.

M. Parties in interest shall be permitted to file a brief in support or opposed to the confirmation of the Plan and the adequacy of the Disclosure Statement by not later than **5:00 p.m. Central Time on June 26, 2023**. The Debtor or any other party in interest may reply to any objections, either separately or by single, consolidated reply, by not later than **5:00 p.m. Central Time on June 27, 2023**.

N. The Debtor is authorized to take or refrain from taking any action necessary or appropriate to implement the terms of and the relief granted in this Order without seeking further order of the Court.

O. The Debtor is authorized to make nonmaterial changes to the Disclosure Statement, the Plan, ballots, or Combined Notice and to correct related typographical and grammatical errors and to make conforming changes to and among the Disclosure Statement, the Plan, and any other documents in the Solicitation Materials prior to distribution.

P. The Court hereby retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

END OF ORDER